

Serial No. 10/762,754
Reply to Office Action dated November 14, 2007

Docket No. 3655/0275PUS2

REMARKS/ARGUMENTS

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Claims 1-57 are pending in the above application.

The Office Action dated November 14, 2007, has been received and carefully reviewed. Each issue raised in that Office Action is addressed below, and reconsideration and allowance of claims 1-57 is respectfully requested in view of the following remarks.

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Shtivelman. Claim 1 recites a network device adapted to process a call between the network device and a first other network device. The network device comprises a user interface adapted to receive a user input requesting a call transfer to a second other network device and a call transfer function responsive to the user input to deliver call transfer functionality. Upon receipt of the user input, the call transfer functionality a) initiates a connection from the network device to the second other network device and b) sends a first message to the first other network device containing a reference to the second other network device. The Office Action appears to interpret Shtivelman's telephone 1022 as corresponding to the claimed "network device," Shtivelman's customer telephone 1001 as corresponding to the claimed "first other network device," and Shtivelman's telephone 1121 as corresponding to the claimed "second other network device." If this is not the interpretation being used, it is respectfully requested that the examiner further clarify which elements of Shtivelman are believed to correspond to the claimed network device, first other network device and second other network device in a further Office Action.

Claim 1 recites that, upon receipt of a user input, the network device initiates a connection to the second other network device. Shtivelman does not show or suggest

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that telephone 1022 initiates a connection to telephone 1121 as would be required under the interpretation of Shtivelman being used in the Office Action. The portion of Shtivelman cited in the Office Action, column 6, lines 52-67, merely shows that Shtivelman uses the Transfer Connect feature of the network to transfer calls. Claim 1 further recites that the network device sends a message to the first other network device containing a reference to the second other network device. Shtivelman in no manner shows or suggests that telephone 1022 sends a message to customer telephone 1001 containing a reference to telephone 1122 as would be required under the interpretation of Shtivelman apparently being used in the Office Action. Again, the call transfer is handled by the Shtivelman's network 1000. At least these limitations of claim 1 are not shown or suggested by Shtivelman, and claim 1 is submitted to be allowable over Shtivelman for at least this reason.

Claims 2-13 depend from claim 1 and are submitted to be allowable for at least the same reasons as claim 1.

Independent claims 14, 22, 27, 32, 44, 51 and 55-57 are all rejected under 35 U.S.C. 102(b) as being anticipated by Shtivelman. Each of these independent claims includes limitations different from those of claim 1. Claims 32, 44 and 51, for example, define articles of manufacture comprising computer readable code means, while claims 55-57 define methods of processing a call in a network device. However, only the language of claim 1 is quoted in the rejection. The language of the various other independent claims is not mentioned in the Office Action, and it is not clear how the examiner believes Shtivelman shows each limitation of each of these claims. The rejections of the remaining independent claims are addressed below to the extent that

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they can be understood. However, if the rejections of the independent claims based on Shtivelman are not withdrawn, it is respectfully requested that the examiner explain, with reference to column and line numbers, how each limitation of each of the independent claims is believed to be satisfied by Shtivelman so that the basis for the rejection of these claims can be better understood.

Claim 14 recites a network device adapted to process a call between the network device and a first other network device where the network device comprises a call transfer function adapted to participate in a call transfer of the call. This occurs by responding to a first message from the first other network device containing a reference to a second other network device by establishing a media path with the second other network device. Shtivelman shows a call transfer function being handled by a network. Shtivelman in no manner shows or suggest a network device that responds to a first message from a first other network device by establishing a media path with a second other network device as recited in claim 14. Claim 14 is submitted to be allowable over Shtivelman for at least this reason.

If this rejection is not withdrawn, it is respectfully requested that the examiner explain which network device in Shtivelman is believed to be responding to a first message from another network device (and identify the message) by establishing a media path with yet another network device as would appear to be necessary to anticipate claim 14.

Claims 15-21 depend from claim 14 and are submitted to be allowable for at least the same reasons as claim 14.

Claim 22 is rejected under 35 U.S.C. 102(b) as being anticipated by Shtivelman. Claim 22 recites a network device that comprises a call transfer function and that is

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adapted to participate in a call transfer of a call between a first other network device and a second other network device. After the network device receives a first message from the second other network device initiating a connection between the network device and the second other network device, the network device responds to a second message from the first other network device containing a reference to the second other network device by replacing a connection between the network device and the second other network device with another connection between the network device and the first other network device. Shtivelman does not show a network device receiving a first message from a second other network device initiating a connection between the network device and the second network device. Shtivelman does not show a network device responding to a second message from a first other network device containing a reference to the second other network device by replacing a connection between the network device and the first other network device. Instead, Shtivelman use a network having a transfer connect functionality to transfer calls. Claim 22 is submitted to be allowable over Shtivelman at least because the above limitations of claim 22 are not shown or suggested by Shtivelman.

If the rejection of claim 22 is not withdrawn, it is respectfully requested that the examiner explain with reference to the various network devices illustrated in Shtivelman, how these devices are sending messages and responding to messages in the manner recited in claim 22 so that the grounds for this rejection can be better understood.

Claims 23-26 depend from claim 22 and are submitted to be allowable for at least the same reasons as claim 22.

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Claim 27 is rejected under 35 U.S.C. 102(b) as being anticipated by Shtivelman.

Claim 27 as amended recites a system in a network comprising a plurality network devices on the network, each network device of the plurality of network devices including a user interface adapted to receive a user input requesting a call transfer and a call transfer function. The call transfer function is adapted to 1) participate in a call transfer of a first call between the network device and a first other network device using local call transfer functionality, the first call being transferred from the network device to a second other network device; 2) participate in a call transfer of a second call between the network device and the first other network device using local call transfer functionality, the second call being transferred from the first other network device to the second other network device, and 3) participate in a call transfer of a third call between the first other network device and the second other network device using local call transfer functionality, the third call being transferred from the first other network device to the network device. Shtivelman in no manner suggests at least the local call transfer functionality recited in claim 27, and claim 27 is submitted to be allowable over Shtivelman for at least this reason.

Claims 28-31 depend from claim 27 and are submitted to be allowable for at least the same reasons as claim 27.

Claim 32 is rejected under 35 U.S.C. 102(b) as being anticipated by Shtivelman. Claim 32 recites an article of manufacture comprising a computer readable medium having computer readable program means embodied therein for providing call transfer functionality at a network device. Shtivelman in no manner shows such an article of manufacture or computer readable program means for providing call transfer functionality at a network device. Claim 32 further recites that the computer readable

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program means delivers call transfer functionality in response to user input by, upon receipt of the user input, initiating a connection from the network device to a second other network device and sending a first message to the first other network device containing a reference to the second other network device. Such call transfer functionality is in no manner shown or suggested by Shtivelman. At least these limitations of claim 32 are not shown or suggested by Shtivelman, and claim 32 is submitted to be allowable over Shtivelman for at least these reasons.

Claims 33-43 depend from claim 32 and are submitted to be allowable for at least the same reasons as claim 32.

Claim 44 is rejected under 35 U.S.C. 102(b) as being anticipated by Shtivelman. Claim 44 recites an article of manufacture comprising a computer usable medium having computer readable program code means embodied therein for providing call transfer functionality at a network device. Such an article of manufacture is not shown or suggested by Shtivelman. Claim 44 further recites that the computer readable code means comprises computer readable code means for processing a call between the network device and a first other network device and computer readable code means for participating in a call transfer by responding to a first message from the first other network device containing a reference to a second other network device by establishing a media path with the second other network device. Shtivelman does not show or suggest such computer readable code means as recited. At least these limitations of claim 44 are not shown or suggested by the Shtivelman, and claim 44 is submitted to be allowable for at least this reason.

Claims 45-50 depend from claim 44 and are submitted to be allowable for at least the same reasons as claim 44.

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Claim 51 is rejected under 35 U.S.C. 102(b) as being anticipated by Shtivelman.

Claim 51 recites an article of manufacture comprising a computer usable medium having computer readable program code means embodied therein for providing call transfer functionality at a network device. No such article of manufacture is shown or suggested by Shtivelman. The computer readable code means further comprises computer readable code means for participating in a call transfer of call between a first other network device and a second other network device by, after receiving a first message from the second other network device initiating a connection between the network device and the second other network device, responding to a second message from the first other network device containing a reference to the second other network device by replacing the connection between the network device and the second other network device with an other connection between the network device and the first other network device. Such computer readable code means are not shown or suggested by Shtivelman, and claim 51 is submitted to be allowable over Shtivelman for at least this reason.

Claims 52-54 depend from claim 51 and are submitted to be allowable for at least the same reasons as claim 51.

Claim 55 is rejected under 35 U.S.C. 102(b) as being anticipated by Shtivelman. Claim 55 recites, in a network device, a method comprising processing a call between the network device and a first other network device. The method includes providing call transfer functionality by initiating a connection from the network device to a second other network device and sending a message to the first other network device containing a reference to the second other network device. Shtivelman discloses a network that includes a transfer connect functionality, but in no manner shows or

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suggests a method comprising the steps of claim 55. Claim 55 is submitted to be allowable over Shtivelman for at least this reason.

Claim 56 recites a method comprising processing a call between the network device and a first other network device and participating in a call transfer of the call by responding to a first message from the first other network device containing a reference to a second other network device by establishing a media path with the second other network device. A method including at least the step of responding to a first message from the first other network device containing a reference to a second other network device by establishing a media path with the second other network device is not shown or suggested by Shtivelman, and claim 56 is submitted to be allowable over Shtivelman for at least this reason.

Claim 57 is rejected under 35 U.S.C. 102(b) as being anticipated by Shtivelman. Claim 57 recites a method that includes participating in a call transfer of a call between a first other network device and a second other network device by, after receiving to a first message from the second other network device initiating a connection between the network device and the second other network device, responding to a second message from the first other network device containing a reference to the second other network device by replacing the connection between the network device and the second other network device with an other connection between the network device and the first other network device. These method steps are not shown or suggested in any manner by Shtivelman. Shtivelman instead uses the transfer connect functionality of a network to transfer calls. Claim 57 is submitted to be allowable over Shtivelman for at least this reason.

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CONCLUSION**JAN 24 2008**

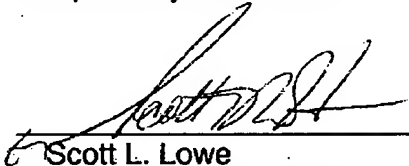
Each issue raised in the Office Action dated November 14, 2007, has been addressed, and it is believed that claims 1-57 are in condition for allowance. Wherefore, reconsideration and allowance of these claims is respectfully requested.

If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, at the telephone number listed below.

Deposit Account Authorization

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 50-3828 and please credit any excess fees to such deposit account.

Respectfully submitted,

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